NPT/CONF.2020/PC.I/WP.38

Preparatory Committee for the 2020 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

10 May 2017

Original: English

First session
Vienna, 2-12 May 2017

Gender, development and nuclear weapons

Working paper submitted by Ireland

Background

1. In the preamble to the Treaty on the Non-Proliferation of Nuclear Weapons, the States parties to the Treaty, in its first paragraph, consider "the devastation that would be visited upon all mankind by a nuclear war and the consequent need to make every effort to avert the danger of such a war and to take measures to safeguard the security of peoples". When the States parties agreed in 1995 to the indefinite extension of the Treaty, the decision on principles and objectives for nuclear non-proliferation and disarmament included a reaffirmation of the preamble and provisions of the Treaty. The strengthened review process agreed to in 2000 included, in the 13 practical steps, the provision of regular reports in respect of the implementation of article VI. The 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons expressed "its deep concern at the catastrophic humanitarian consequences of any use of nuclear weapons and reaffirms the need for all States at all times to comply with applicable international law, including international humanitarian law".

2. This clear and reiterated humanitarian impetus for the Treaty was reinforced by the terms of the 1996 advisory opinion of the International Court of Justice with regard to the legality of threat or use of nuclear weapons, which observed that:

> The destructive power of nuclear weapons cannot be contained in either space or time. They have the potential to destroy all civilization and the entire ecosystem of the planet
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> . . .
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> in order correctly to apply to the present case the Charter law on the use of force and the law applicable in armed conflict, in particular humanitarian law, it is imperative for [the Court] to take account of the unique characteristics of nuclear weapons, and in particular their destructive capacity, their capacity to cause untold human suffering, and their ability to cause damage to generations to come.

The advisory opinion of the International Court of Justice in this matter is also recalled in the 13 practical steps adopted at the 2000 Review Conference.

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3. Ireland has engaged with determination and commitment in the Non-Proliferation Treaty review process and does so again on this occasion. We believe firmly in the humanitarian impetus behind the Treaty and its commitment to nuclear disarmament and non-proliferation. We have therefore welcomed the renewed impetus and focus, since the adoption of the 2010 outcome document, on the humanitarian impact of nuclear weapons, in particular the new information that has been made available with regard to the serious and imminent risks and catastrophic consequences of any nuclear weapons detonation. The three conferences held between 2013 and 2014 in Oslo, Nayarit, Mexico, and Vienna, as well as the work presented at the 2013 and 2016 open-ended working groups, have shown clearly that nuclear disarmament in accordance with article VI is urgent and necessary.

4. Ireland is participating in the current United Nations-mandated multilateral treaty negotiations in New York on a new legal instrument to prohibit nuclear weapons, leading to their total elimination. As a non-nuclear-weapon State, we believe that every opportunity to seek progress in nuclear disarmament must be seized. Our view is that the new treaty will strengthen and reinforce the disarmament provisions of the Non-Proliferation Treaty, and we encourage all States parties to the Treaty and all States Members of the United Nations to join us in these efforts. Equally, we trust that this review cycle and its outcome will also provide a stimulus for action. The Treaty is not a charter for the indefinite retention of nuclear weapons, and the heightened regional and international tensions we are currently witnessing make the case for action on multilateral nuclear disarmament even more urgent than before.

Gender and nuclear weapons

5. In the present working paper, Ireland wishes to highlight one particular issue that the work of the humanitarian initiative with regard to nuclear weapons has brought to light in recent years. This is the question of gender and nuclear weapons, both in relation to the gendered impacts of nuclear weapons and from the viewpoint of women's participation in nuclear disarmament negotiating forums. The present paper is supported by the research conducted by the International Law and Policy Institute and the United Nations Institute for Disarmament Research and set out in their paper entitled "Gender, development and nuclear weapons.[1] It was first presented during a side event of the First Committee of the General Assembly in October 2016. The United Nations Institute for Disarmament Research, Sweden and Ireland will relaunch it during this Preparatory Committee.

6. With regard to the question of the gendered impact of nuclear weapons, our original inspiration for this work comes from the presentation made by Mary Olson, of the Nuclear Information and Resource Service, to the Vienna Conference on the Humanitarian Impact of Nuclear Weapons in December 2014.[2] In this work, and in a subsequent presentation made at a side event of the 2015 Review Conference, Ms Olson demonstrates the clear scientific evidence showing that ionizing radiation does not affect men and women equally. A paper by A.G Dimmen on gendered impacts, prepared by the International Law and Policy Institute and the United

[1] International Law and Policy Institute and United Nations Institute for Disarmament Research, "Gender, development and nuclear weapons: shared goals, shared concerns" (2016), joint paper presented at the General Assembly, October 2016. Available from www.unidir.org/files/publications/pdfs/gender-development-and-nuclear-weapons-en-659.pdf.

[2] Mary Olson, 'Nuclear: war of human consequences", paper for presentation given to the Vienna Conference on the Humanitarian Impact of Nuclear Weapons, Nuclear Information and Resource Service (December 2014), p. 34. Available from www.nirs.org/international/olsontalkvienna12414.pdf.

Nations Institute for Disarmament Research for the Vienna Conference, has also highlighted this important topic.[3] While the detonation of one or more nuclear weapons would cause death on a massive scale and injury to all, the evidence is clear that, over the longer term, of those who are exposed to ionizing radiation from such a detonation, women and girls have a far higher risk of developing cancer than men or boys. Whatever the ultimate biological cause for this greater susceptibility, the evidence is unambiguous. In a longitudinal study of survivors of Hiroshima and Nagasaki, the risk of developing and dying from cancer due to ionizing radiation was almost twice as high for women as for men.

7. Ireland considers that this serious humanitarian aspect of nuclear weapons risk is one that the Non-Proliferation Treaty review process has not given sufficient consideration to up to now. With the research now available and the strong evidence that detonation of these weapons causes far greater harm to the health of women and girls than to men and boys, we must approach our commitments to the disarmament of nuclear weapons with due regard also to our commitments, under humanitarian law, to sustainable development, gender equality and our commitments under the women and peace and security agenda. We cannot continue to maintain, modernize and improve weapons that are now known beyond any scientific doubt to have disproportionate gendered impacts on women.

8. For this reason, Ireland considers that the significant humanitarian question of the disproportionate effect of a nuclear weapons detonation on women and girls must be reflected in the outcome document of this Non-Proliferation Treaty review cycle. This is a significant aspect of any nuclear weapons detonation, one deserving of far greater attention from States parties to the Treaty than has been the case up to now.

Women's participation in negotiations on nuclear weapons

9. Ireland also wishes to use the opportunity of the present working paper to highlight another aspect of gender and nuclear weapons: the question of women's participation in negotiating forums. This is particularly important in nuclear disarmament where the International Law and Policy Institute-United Nations Institute for Disarmament Research paper shows clearly that women continue to be seriously underrepresented in nuclear disarmament work, including at meetings of the First Committee and at Non-Proliferation Treaty review meetings. The disparity is even worse if we study groups of governmental experts working on nuclear disarmament-related matters.

10. Ireland has committed strongly to a gender perspective in its disarmament work. A focus on gender equality has been a cross-cutting issue for Ireland's foreign policy, in line with Security Council resolution 1325 (2000), for many years. This is particularly reflected in our work on human rights, conflict prevention and post-conflict rehabilitation, as well as our work to promote sustainable development. In 2015, our second national action plan on women, peace and security, following a wide public consultation process, included for the first time specific commitments to support the inclusion of a gender perspective and women's effective participation in disarmament, non-proliferation and arms control.

11. Ireland considers this matter to be of key importance for its work in the Treaty context. This is, in the first instance, from the principle of fairness, that women

[3] Anne Guro Dimmen "Gendered impacts: the humanitarian impacts of nuclear weapons from a gender perspective", paper No. 5 of 6, presented at the International Law and Policy Institute-United Nations Institute for Disarmament Research conference series. Available from http://ilpi.org/publications/gendered-impacts-the-humanitarian-impacts-of-nuclear-weapons-from-a-gender-perspective/.

should be equally engaged in discussions on weapons that affect them so disproportionately, both biologically and also taking into account the wider gendered impacts of conflict, which are also addressed in the International Law and Policy Institute-United Nations Institute for Disarmament Research paper. These broader questions of displacement, discrimination and social stigma are also important in this context.

12. Recognizing that the underlying trend for women's engagement in disarmament forums is improving, although slowly, Ireland would encourage States who can do so to assist and sponsor qualified women participants in nuclear disarmament forums and to take gender diversity into account in the composition of their delegations.

13. Studies show that diversity and differing perspectives make group prediction and problem-solving more effective. Almost 50 years after the adoption of the Treaty, and with a failure to agree on an outcome document in 2015, this review cycle offers us an opportunity for more effective discussions and outcomes. A conscious and genuine commitment to improving women's engagement and participation in the work of the Treaty would be a good place to start.

Conclusion: gender, development and nuclear weapons

14. In September 2015, Heads of State and Government adopted an agenda for sustainable development that was nothing less than a promise to humanity. As we begin this Non-Proliferation Treaty review cycle, we must keep in mind the threat posed by nuclear weapons to these global goals and aspirations, which we all share. Any nuclear weapons detonation, whether accidental or deliberate, would have a significant impact on development, gender equality, health, the protection of cultural heritage and the environment. A more wide-scale event, such as a so called "limited nuclear exchange", would wreak devastation for generations. In this working paper, Ireland has sought to bring attention to the gendered impact of nuclear weapons and to the need to increase women's participation in nuclear disarmament negotiations. But we are also cognizant of the wider developmental and environmental concerns that nuclear weapons pose for our ever more fragile planet.

15. The drafters who framed the Treaty did so in the shadow of the first use of nuclear weapons in warfare and with a strong sense of the danger the continuing existence and proliferation of these weapons posed for "all mankind". Almost 50 years after the adoption of the Treaty, and with a view to the twenty-fifth anniversary of its extension in 2020, Ireland looks forward to working with States parties to the Treaty so that progress on the questions raised in the present paper can be achieved